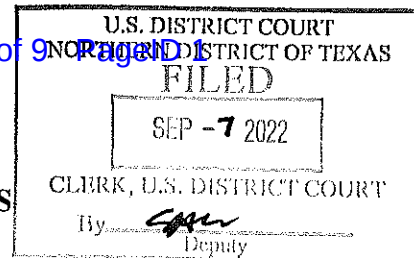


ORIGINAL



IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

STEPHEN O'NEIL SIMPSON #738373
Plaintiff's Name and ID Number
BILL CLEMENTS UNIT
9601 Spur 591, Amarillo, Tx. 79107

4-22CV-790-Y

Place of Confinement

CASE NO. _____
(Clerk will assign the number)

v.

STATE OF TEXAS (Due to the D.A.'s Office Actions) 401 W. Belknap St. Fort Worth, Tx. 76196-0201
Defendant's Name and Address

Defendant's Name and Address

Defendant's Name and Address
(DO NOT USE "ET AL.")

INSTRUCTIONS - READ CAREFULLY

NOTICE:

Your complaint is subject to dismissal unless it conforms to these instructions and this form.

1. To start an action you must file an original and one copy of your complaint with the court. You should keep a copy of the complaint for your own records.
2. Your complaint must be legibly handwritten, in ink, or typewritten. You, the plaintiff, must sign and declare under penalty of perjury that the facts are correct. If you need additional space, **DO NOT USE THE REVERSE SIDE OR BACKSIDE OF ANY PAGE.** ATTACH AN ADDITIONAL BLANK PAGE AND WRITE ON IT.
3. You must file a separate complaint for each claim you have unless the various claims are all related to the same incident or issue or are all against the same defendant, Rule 18, Federal Rules of Civil Procedure. Make a short and plain statement of your claim, Rule 8, Federal Rules of Civil Procedure.
4. When these forms are completed, mail the original and one copy to the clerk of the United States district court for the appropriate district of Texas in the division where one or more named defendants are located, or where the incident giving rise to your claim for relief occurred. If you are confined in the Texas Department of Criminal Justice, Correctional Institutions Division (TDCJ-CID), the list labeled as "VENUE LIST" is posted in your unit law library. It is a list of the Texas prison units indicating the appropriate district court, the division and an address list of the divisional clerks.

1. In order for your complaint to be filed, it must be accompanied by the statutory filing fee of \$350.00 plus an administrative fee of \$50.00 for a total fee of **\$400.00**.
2. If you do not have the necessary funds to pay the fee in full at this time, you may request permission to proceed *in forma pauperis*. In this event you must complete the application to proceed *in forma pauperis*, setting forth information to establish your inability to prepay the fees and costs or give security therefor. You must also include a current six-month history of your inmate trust account. If you are an inmate in TDCJ-CID, you can acquire the application to proceed *in forma pauperis* and the certificate of inmate trust account, also known as *in forma pauperis* data sheet, from the law library at your prison unit.
3. The Prison Litigation Reform Act of 1995 (PLRA) provides "... if a prisoner brings a civil action or files an appeal *in forma pauperis*, the prisoner shall be required to pay the full amount of a filing fee." See 28 U.S.C. § 1915. Thus, the court is required to assess and, when funds exist, collect, the entire filing fee or a initial partial filing fee and monthly installments until the entire amount of the filing fee has been paid by the prisoner. If you submit the application to proceed *in forma pauperis*, the court will apply 28 U.S.C. § 1915 and, if appropriate, assess and collect the entire filing fee or an initial partial filing fee, then monthly installments from your inmate trust account, until the entire \$350.00 statutory filing fee has been paid. (The \$50.00 administrative fee does not apply to cases proceeding *in forma pauperis*.)
4. If you intend to seek *in forma pauperis* status, do not send your complaint without an application to proceed *in forma pauperis* and the certificate of inmate trust account. Complete all essential paperwork before submitting it to the court.

CHANGE OF ADDRESS

It is your responsibility to inform the court of any change of address and its effective date. Such notice should be marked "**NOTICE TO THE COURT OF CHANGE OF ADDRESS**" and shall not include any motion for any other relief. Failure to file a NOTICE OF THE COURT OF CHANGE OF ADDRESS may result in the dismissal of your complaint pursuant to Rule 41(b), Federal Rules of Civil Procedure.

I. PREVIOUS LAWSUITS:

- A. Have you filed *any* other lawsuit in state or federal court relating to your imprisonment? X YES NO
- B. If your answer to "A" is "yes", describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, giving the same information.)
 1. Approximate date of filing lawsuit: JANUARY 14, 2021
 2. Parties to previous lawsuit:
Plaintiff(s) Stephen O'Neil Simpson
Defendant(s) Sharon Wilson (District Attorney), Greg Abbot (Governor of Texas,)
 3. Court: (If federal, name the district; if state, name the county.) Federal (1983) Northern
 4. Cause number: 4:21-CV-146-P
 5. Name of judge to whom case was assigned: REED O'CONNOR
 6. Disposition: (Was the case dismissed, appealed, still pending?) DISMISSED (IMMUNITY)
 7. Approximate date of disposition: JUNE 15, 2021

II. PLACE OF PRESENT CONFINEMENT: Bill Clements Unit, 9601 Spur 591, Amarillo, Tx. 79107

III. EXHAUSTION OF GRIEVANCE PROCEDURES:

(N.A.)

Have you exhausted all steps of the institutional grievance procedure? YES NO

Attach a copy of your final step of the grievance procedure with the response supplied by the institution.

IV. PARTIES TO THIS SUIT:

A. Name and address of plaintiff: Stephen O'Neil Simpson #738373 Bill Clements Unit 9601 Spur 591, Amarillo, Texas. 79107

B. Full name of each defendant, his official position, his place of employment, and his full mailing address.

Defendant #1: STATE OF TEXAS (Due to District Attorney's Office Actions), Tarrant County; 401 W. Belknap St. Fort Worth, Texas. 76196-0201

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

For Approximately 25 to 26-1/2 Years the State Of Texas (Tarrant County District

Defendant #2: _____

Briefly describe the acts(s) or omission(s) of this defendant which you claimed harmed you.

Defendant #3: _____

Briefly describe the acts(s) or omission(s) of this defendant which you claimed harmed you.

Defendant #4: _____

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

Defendant #5: _____

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

(Page 3, Defendant #1 Continuation)

Attorney's Office) has violated my Constitutional Rights of DUE PROCESS and Access to the Courts. I was appointed an Attorney, because I could not afford an attorney, and after Mr. Ray (Appointed Attorney) filed my P.D.R., he was withdrawn as my attorney, and I became my Own attorney, and was representing myself in ALL Courts, and the Tarrant County District Attorney's Office DENIED me ANY and ALL Access to the Courts, and Paperowrk, Legal, Police Reports, Files, Evidence, and ALL requested Information that I NEEDED so as to file on my behalf in proving my Innocence. Because of this Continued Violation, I would not find out that the District Attorney's Office was HIDING Evidence that showed my innocence, and Would Have proven my Innocence in December 1995; but it (Exculpatory Evidence) was hidden from the Jury and Me, and because of this continued violation, I would not find out about this evidence and violations until Many, MANY Years later.

I was BARRED by the Courts due to the AEDPA Law time limit, which caused me to try to escape in 2000 and I have been in Segregation for last 23-YEARS, but I have Continued to work on my case, and have repeatedly over the YEARS asked the District Attorney's Office for ANY and ALL Legal Material, files, medical exams, police reports, etc., and have received Nothing!

The Freedom of Information Act was passed into law, and some individuals have abused that law by requesting so much from the states departments, so the State passed a Law to curb that, but the District Attorney's Office is now abusing THAT law so as to deny ANYONE Incarcerated their Rights to Due Process As of August 25th, 2022, I submitted my 11.07 Writ of Habeas Corpus that Barred me due to me being denied ANY and ALL legal material, files, evidence, Etc., from the District Attorney's Office for YEARS, and I have submitted it 'In The Blind', because it states that if I do not include ALL Grounds in the Writ, I can be barred from adding more at a later time.

V. STATEMENT OF CLAIM:

State here in a short and plain statement the facts of your case, that is, what happened, where did it happen, when did it happen, and who was involved. Describe how each defendant is involved. You need not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach extra pages if necessary, but remember the complaint must be stated briefly and concisely. IF YOU VIOLATE THIS RULE, THE COURT MAY STRIKE YOUR COMPLAINT.

On May 29, 1997 my P.D.R. was refused, and a short time later I received a copy of THAT Denied P.D.R, and a letter letting me know that Mr. William 'Bill' Ray was no longer my attorney, and that was it. He did Not tell me that 9-Months Prior, a Law was passed that gave me One Year to do my Appeal, and as of THAT August (90-Days after my P.D.R. was refused), my One Year time-limit would begin.

I was fixing to 24, and had a 7th Grade Education, and absolutely ZERO knowledge in criminal Law. I have written the District Attorney's Office MANY times over the Years asking/requesting ANY and ALL Legal material, files, medical police reports, etc., and been Out-Right Ignored for Years. I received a 'Memo' from

VI. RELIEF:

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

Make the State of Texas (Tarrant County District Attorney's Office) give ANY and ALL Evidence, Grand Jury files, Med. Exams, Police Reports, etc., and \$50-MILLION in Damages for Denying me my Constitutional Rights, and Mental Damages for all these YEARS!

VII. GENERAL BACKGROUND INFORMATION:

A. State, in complete form, all names you have ever used or been known by including any and all aliases.
Stephen, Steven, Steve O'Neil Simpson

B. List all TDCJ-CID identificaiton numbers you have ever been assigned and all other state or federal prison or FBI numbers ever assigned to you.
#592654, 738373

VIII. SANCTIONS:

A. Have you been sanctioned by any court as a result of any lawsuit you have filed? YES ☒ NO

B. If your answer is "yes," give the following information for every lawsuit in which sanctions were imposed. (If more than one, use another piece of paper and answer the same questions.)

1. Court that imposed sanctions (if federal, give the district and division): _____

2. Case number: _____

3. Approximate date sanctions were imposed: _____

4. Have the sanctions been lifted or otherwise satisfied? YES ☐ NO ☐

(Page 4 Continuation)

an Assistant District Attorney; Ms. Fourn on August 2, 2013 that the District Attorney's Office did Not have to send me ANYTHING due to the law passed denying ALL People incarcerated Any requested Information, even if they specifically told them repeatedly that I was acting as my Own Attorney, and *NEEDED* the Files, Evidence, etc., they had, I was ignored, and that would be the same actions for Many, MANY Years.

I have recently submitted my 11.07 Writ of Habeas Corpus to the Court, and because of Information my wife found 'ONLINE' (I would NEVER have found any of this, due to being in Segregation for the last 23-YEARS), I saw that during the year of my case, There were some Scientists doing studies into ALL Biological forms concerning D.N.A., and it showed that a Crime that was *SAID* to have been committed in the way they *SAID* I was to have committed the crime I was being accused of was Absolutely Scientifically Impossible due to D.N.A., but I also found that One of the State's Witnesses made a police report stating he saw me Masterbating, and wearing a towel at a certain time, but HE (Randy Parrish) does Not Ever Testify to those issues, but those same issues he stated in the Police Report were used to bring an INDICTMENT against me. Like everyone, I have heard of Rape-kits from police shows, etc., but did not know 'What' the D.A.'s Office would be or could be using to charge me, because no crime ever happened, and why I refused an Offer of 35-Years in prison, and then 25-years, I was convicted with Testimony that is flooded with Perjury, Lies, and Contradictions of several of the State's witnesses, which means Someone IS Lying, because they ALL can NOT be telling the truth if they are Contradicting each other throughout the trial.

I *KNOW* there are More Grounds that I could use in my Appeals and proving my innocence, but the State to this day refuses me ANY and ALL files, which is a violation of my Constitutional Rights of Due Process and Access to the Courts. How do I defend myself if I do NOT know what I am defending myself against!?

IF the State had just given me what I requested so many YEARS ago, I could have been free. I could have been there with my mom on April 25, 2021 when she died, and so Many more THINGS I've missed.

Miranda Rights read to each person arrested: "...and if you cannot afford an Attorney, an Attorney will be appointed for you.", but when that Attorney is done doing whatever it is he/she was supposed to do, and you've been convicted of a crime you didn't do; Then WHO is representing you NOW (if) you cannot afford an attorney to do your appeals, etc.??? YOU!!!, and in ALL the things I have filed in Courts, be-it Lawsuit, 2254 Writ, etc., I am known as the Respondent, Applicant or Inmate filing in Pro Se! And for *ANYONE* in Any department that holds 'INFORMATION', Files, Police Reports, etc., that can or possibly help prove my Innocence, then they MUST be held accountable when they deny me my Constitutional RIGHT to Due Process that I have TRIED to Invoke for the last 27-YEARS!, and DENIED Everytime by the District Attorney's Office!

Prosecutor; Ms. Salinas TESTIFIED for Randy Parrish, saying he DID Testify to seeing me in a towel, but that is NOT true, and used against me to convict me for a crime NO ONE could commit due to D.N.A.!!!

D. If your answer is "yes," give the following information for every lawsuit in which a warning was issued. (If more than one, use another piece of paper and answer the same questions.)

1. Court that issued warning (if federal, give the district and division): _____
2. Case number: _____
3. Approximate date warning was issued: _____

Executed on: _____
DATE

(Signature of Plaintiff)

PLAINTIFF'S DECLARATIONS

1. I declare under penalty of perjury all facts presented in this complaint and attachments thereto are true and correct.
2. I understand, if I am released or transferred, it is my responsibility to keep the court informed of my current mailing address and failure to do so may result in the dismissal of this lawsuit.
3. I understand I must exhaust all available administrative remedies prior to filing this lawsuit.
4. I understand I am prohibited from bringing an *in forma pauperis* lawsuit if I have brought three or more civil actions or appeals (from a judgment in a civil action) in a court of the United States while incarcerated or detained in any facility, which lawsuits were dismissed on the ground they were frivolous, malicious, or failed to state a claim upon which relief may be granted, unless I am under imminent danger of serious physical injury.
5. I understand even if I am allowed to proceed without prepayment of costs, I am responsible for the entire filing fee and costs assessed by the court, which shall be deducted in accordance with the law from my inmate trust account by my custodian until the filing fee is paid.

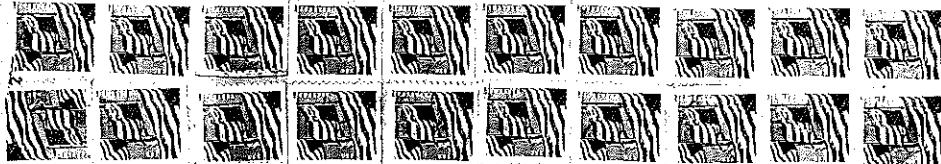
Signed this 1st day of SEPTEMBER, 20 22.
(Day) (month) (year)

Stephen O'Neil Lyndon
Stephen O'Neil Lyndon
(Signature of Plaintiff)

WARNING: Plaintiff is advised any false or deliberately misleading information provided in response to the above questions may result in the imposition of sanctions. The sanctions the court may impose include, but are not limited to, monetary sanctions and the dismissal of this action with prejudice.

Stephen O. Simpson
#730879
Bill Clements Unit
9601 Spivey 591
Amareille, TX.
79117

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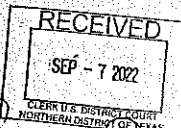
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UNITED STATES DISTRICT COURT
(NORTHERN DISTRICT)
FORT WORTH DIVISION

501 WEST 10th St., Room. 310

FORT WORTH, TEXAS.

76102-3673

X-RAY